

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

PERRY D. LOWE,

Petitioner,

V.

JEFFREY A. UTTECHT.

Respondent.

NO: 2:16-CV-109-RMP

**ORDER DISMISSING HABEAS
PETITION**

By Order filed May 27, 2016, the Court directed Petitioner, a *pro se* prisoner

at the Coyote Ridge Corrections Center, to show cause why his Petition for Writ

of Habeas Corpus should not be dismissed. ECF No. 5. Petitioner had paid the

\$5.00 filing fee to commence this action on April 18, 2016, ECF No. 4

Respondent has not been served

The Concept of the Petit

1 Petition, it would be dismissed. Petitioner did not respond to the Court's directive
2 and has filed nothing further in this action.

3 Therefore, for the reasons set forth above and in the Order to Show Cause
4 and Order Denying Motion for Appointment of Counsel, ECF No. 5, **IT IS**
5 **ORDERED** that the Petition, ECF No. 4, is **DISMISSED with prejudice** as
6 precluded by 28 U.S.C. § 2244(d).

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
8 Order, enter judgment, forward a copy to Petitioner at his last known address and
9 close the file. The Court further certifies that pursuant to 28 U.S.C. § 1915(a)(3),
10 an appeal from this decision could not be taken in good faith, and there is no basis
11 upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.
12 App. P. 22(b).

13 | **DATED** this 1st of July 2016.

14 s/ Rosanna Malouf Peterson
15 ROSANNA MALOUF PETERSON
United States District Judge